

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 1.25. Administrative Procedures–Hearings

**Article 4. Administrative Hearing Procedures for
Review of Citations**

Subarticle 6. Resolution of Proceeding Without Hearing

§ 60075.23. Withdrawal of Citation.

(a) At anytime before the hearing officer issues a decision on the merits of the citation, the complainant may withdraw the citation by written notice at any time or by oral motion on the hearing record.

(b) If a notice of withdrawal is issued prior to the hearing, the complainant shall serve a copy of the notice of withdrawal on each party and on any authorized representatives.

(c) The notice of withdrawal or motion to withdraw a citation shall be accepted by the hearing officer and is a final order. A citation which has been withdrawn may not be reinstituted.

NOTE: Authority cited: Sections 39600, 39601, 43028, 43031(a) and 44011.6(m), Health and Safety Code. Reference: *Mathews v. Eldridge*, 424 U.S. 319 (1976); and Sections 43028, 43031(a) and 44011.6, Health and Safety Code.

REFERENCE